

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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**JUDITH P. BROACH as the Court-Appointed
Independent Fiduciary of the EXHIBITION
EMPLOYEES LOCAL 829 I.A.T.S.E.
PENSION AND ANNUITY FUNDS, EXHIBITION
EMPLOYEES LOCAL 829 I.A.T.S.E.
PENSION FUND, and EXHIBITION
EMPLOYEES LOCAL 829 I.A.T.S.E ANNUITY
FUND,**

**Civil Action
No.: 20-cv-0165 (LJL)**

DEFAULT JUDGMENT

Plaintiffs,

-against-

METROPOLITAN EXPOSITION SERVICES, INC.

Defendant.

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This action having been commenced on January 8, 2020 by the filing of a Complaint; and a copy of the Summons and Complaint having been served upon Defendant, Metropolitan Exposition Services, Inc., a business corporation organized under the laws of New Jersey, and authorized to do business in the State of New York, by personal service upon Nancy Dougherty, an agent of the New York Secretary of State, duly authorized to accept service on behalf of the Defendant, on January 24, 2020; and proof of service having been electronically filed with the Court on February 3, 2020; and Defendant Metropolitan Exposition Services, Inc., not having appeared, answered or moved with respect to the Complaint, and the time for appearing, answering or moving having expired; and Defendant Metropolitan Exposition Services, Inc.'s default having been certified by the Clerk of the Court on May 5, 2020,

NOW, THEREFORE, upon application of Patrick J. Walsh, Esq., a Partner of the law firm of Stulberg & Walsh, LLP, attorneys for Plaintiffs, it is

ORDERED, ADJUDGED AND DECREED that Metropolitan Exposition Services, Inc. is liable to the Exposition Employees Local 829 Pension and Annuity Funds for:

- i. For unpaid contributions owed to the Pension and Annuity Funds, respectively, for the period January 1, 2014 through January 31, 2016, pursuant to 29 U.S.C. § 1132(g)(2)(A), in the sums of \$11,216.35 (Pension Fund), and \$6,344.73 (Annuity Fund);
- ii. For interest on all contributions due and unpaid to the Pension and Annuity Funds, respectively, through August 14, 2020, in the sums of \$3,367.51 (Pension Fund), and \$1,904.18 (Annuity Fund);
- iii. For liquidated damages on all contributions due and unpaid to the Pension and Annuity Funds, respectively, August 14, 2020, in the sums of \$3,367.51 (Pension Fund) and \$1,904.18 (Annuity Fund);
- iv. For additional pre-judgment and post-judgment interest on unpaid contributions to the Pension and Annuity Funds, pursuant to 29 U.S.C. § 1132(g)(2)(B) and the CBA, from August 12, 2020 forward, calculated from the due date of each contribution through the date such contributions are paid, at the rate of 6%;
- v. For additional liquidated damages on unpaid contributions to the Pension and Annuity Funds, pursuant to 29 U.S.C. § 1132(g)(2)(C), for the period August 12, 2020 forward, in an amount equal to the greater of (a) the amount of interest awarded in paragraphs (ii) and (iv) above, or (b) twenty percent (20%) of the total amount of unpaid contributions;
- vi. For attorney's fees incurred by Plaintiffs in this action, pursuant to 29 U.S.C. § 1132(g)(2)(D), for the period December 1, 2019 through August 14, 2020, in the amount of \$22,776.50;
- vii. For additional reasonable attorney's fees, pursuant to 29 U.S.C. § 1132(g)(2)(D), incurred by Plaintiff for the period August 14, 2020 forward;
- viii. For costs incurred by Plaintiff, pursuant to 29 U.S.C. § 1132(g)(2)(D), for the period December 1, 2019 through August 14, 2020 in the amount of \$828.33;
- ix. For costs incurred by Plaintiffs, pursuant to 29 U.S.C. § 1132(g)(2)(D), for the period August 15, 2020 forward; and it is further

Dated: New York, New York

September 1, 2020

A handwritten signature in black ink, appearing to read "L. Liman", written over a horizontal line.

Hon. Lewis J. Liman
United States District Judge

The Clerk of Court is respectfully directed to enter judgment and to close the case.